HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 221 (S/B)2004

Shiv Charan Singh Bartwal,
S/o Late Sri Nagmal Singh Bartwal,
R/o Shiv Vishal Niwas, Near Stadium,
Gopeshwar, Chamoli. ---------Petitioner.

Vs.

1. State of Uttaranchal through
   Secretary Forest, Civil Secretariat,
   Uttaranchal, Dehradun,
2. Chief Conservator of Forest,
   Uttaranchal, Nainital,
   Camp at Dehradun. ---------Respondents.

Sri R.P. Nautiyal, learned counsel for the petitioner.
Learned Standing Counsel for the respondents.

Coram:-Hon'ble M.M. Ghildiyal, J.
Hon'ble B.C. Kandpal, J.

Hon. M.M. Ghildiyal, J. (oral)

Heard Sri R.P. Nautiyal, learned counsel for the petitioner and learned Standing Counsel for the respondents and perused the record.

By means of this writ petition, the petitioner, who is working as Forest Range Officer in Badrinath Forest Division, district Chamoli, has challenged the transfer order dated 16.07.2004 passed by the Chief Conservator of Forest, Uttaranchal, Nainital transferring him from district Chamoli to distrist Tehri.

The Division Bench of this Court on 23.07.2004 stayed operation of the impugned transfer order until further orders.

Counsel for the petitioner has submitted that the petitioner is going to be retired on 30th June 2006. He has further submitted that the pension papers of the petitioner are not being prepared by the Department in view of the pendency of this writ petition.

Since the petitioner is going to be retired only after four months i.e. on 30th June 2006, it will be in the interest of justice to direct the respondents not to transfer the petitioner for the remaining four months of his service tenure and further to prepare his pension papers in accordance with law.

Accordingly, we direct the respondents not to transfer the petitioner for the remaining four months of his service tenure and to prepare pension papers of the petitioner in accordance with law.

With this direction, the writ petition is finally disposed of.

(B.C. Kandpal, J.) **(M.M. Ghildiyal, J.)**

February 27, 2006:
NCM: